



ALABAMA STATE BOARD OF REGISTRATION FOR INTERIOR DESIGN

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CODE OF PROFESSIONAL CONDUCT

1. DEFINITIONS

- 1.1. Interior Designer means an individual who is engaged in or offers to engage in the practice of interior design and who has been issued a Certificate of Registration by the Board.
- 1.2. Registered Interior Designer means an individual who is engaged in or offers to engage in the practice of interior design in this state who has been issued a Certificate of Registration and Authorization by the Board and who has been further approved by the Board as a registered interior designer and who has successfully passed a "sealed level examination" or an equivalent examination approved by the Board. A registered interior designer may exercise all titles and authority issued by the act to both a registered interior designer and an interior designer. Registered interior designers may submit sealed, stamped drawings to building officials in accordance with the act so long as the drawings do not include the design of items specifically excluded from the practice of interior design, unless the drawing references and incorporates documents prepared by architects, engineers other related professionals.
- 1.3. Practicing Interior Design means performing or offering or attempting to perform any service, work, act or thing within the scope of the definition of the practice of interior design.
- 1.4. Practice of Interior Design means the performance of or offering to perform services for a fee or other compensation, directly or indirectly, to another individual, or to a partnership, corporation, or other legal entity, in connection with the design, utilization, furnishing or fabrication of elements in interior spaces in buildings, homes and related structures. These services include, but are not limited to: programming the functional requirements for interior spaces, planning interior spaces, preparing analyses of user needs for interior spaces, preparing drawings, designs and specifications for selection, use, location, color and finishes of interior walls, materials, equipment, furnishings, furniture or personal property; administering contracts for fabrication, procurement, or installation in connection with reflected ceiling plans, space utilization, furnishings, or the fabrication of non-structural elements within and surrounding interior spaces of buildings. The practice of interior design shall not include any of the following: design of architectural and engineering interior construction relating to building systems, which includes building structural support, elevators, plumbing, heating, ventilation, air conditioning, fire protection, and mechanical and electrical systems, except for the specification of fixtures and lamps and their locations within interior spaces; modification of existing building stairwells and elevator shafts; modification of existing building construction so as to alter the number of persons for which the egress of a building is designed; and the performance of services pursuant to selling, selecting, or assisting in selecting personal property or fixtures, such as, but not limited to, furnishings, decorative accessories or materials, furniture, paint, wall coverings, window treatments, floor coverings, surface mounted lighting, pursuant to a retail sale; installing or coordinating installation as part of the retail sale, provided those drawings are for materials lists.

2. COMPETENCE

- 2.1. In practicing interior design, an interior designer and/or registered interior designer shall act with reasonable care and competence, and shall apply the technical knowledge and skill, which is ordinarily applied by interior designers and/or registered interior designers of good standing, practicing in the same locality.

- 2.2. In designing a project, an interior designer and/or registered interior designer shall take into account all applicable state and municipal building laws and regulations governing the profession of interior design as established by the state of Alabama or any other jurisdiction in which they conduct business. While an interior designer and/or registered interior designer may rely on the advice of other professionals (e.g. attorneys, architects, registered interior designers, engineers, and other qualified persons) as to the intent and meaning of such regulations, once having obtained such advice, an interior designer and/or registered interior designer shall not knowingly design a project in violation of such laws and regulations.
- 2.3. An interior designer and/or registered interior designer shall undertake to perform professional services only when he or she, together with those whom the interior designer and/or registered interior designer may engage as consultants, are qualified by education, training, and experience in the specific technical areas involved.
- 2.4. No person shall be permitted to practice interior design if, in the Board's judgment, such person's professional competence is substantially impaired by physical or mental disabilities.

3. CONFLICT OF INTEREST

- 3.1. If an interior designer and/or registered interior designer has any business association or direct or indirect financial interest which is substantial enough to influence his or her judgment in connection with his or her performance of professional services, the interior designer and/or registered interior designer shall disclose in writing to his or her client or employer the nature of the business association or financial interest, and if the client or employer objects to such association or financial interest, the interior designer and/or registered interior designer shall either terminate such association or interest or offer to give up the commission or employment.
- 3.2. An interior designer and/or registered interior designer shall disclose to a client or employer, all compensation received in connection with a project and shall not accept any form of undisclosed compensation from any person or firm with whom the interior designer and/or registered interior designer deals in connection with the project.
- 3.3. When acting as the interpreter of building contract documents and the judge of contract performance, an interior designer and/or registered interior designer shall render decisions impartially, favoring neither party to the contract.

4. FULL DISCLOSURE

- 4.1. An interior designer and/or registered interior designer, making public statements on interior design questions, shall disclose when he or she is being compensated for making such statement.
- 4.2. An interior designer and/or registered interior designer shall accurately represent to a prospective or existing client or employer his or her qualifications and the scope of his or her responsibility in connection with work for which he or she is performing.
- 4.3. If, in the course of his or her work on a project, an interior designer and/or registered interior designer becomes aware of a decision taken by his or her employer or client, against the interior designer and/or registered interior designer's advice, which violates applicable state or municipal building laws and regulations and which will, in the interior designer and/or registered interior designer's judgment, materially affect adversely the safety to the public of the finished project, the interior designer and/or registered interior designer shall:
 - 4.3.1. report the decision to the local building inspector or other public official charged with the enforcement of the applicable state or municipal building laws and regulations, and

4.3.2. refuse to consent to the decision, and

4.3.3. in circumstances where the interior designer and/or registered interior designer reasonably believes that other such decisions will be taken notwithstanding his or her objection, the interior designer and/or registered interior designer may terminate his or her services with reference to the project. In the case of a termination in accordance with 4.3.3., the interior designer and/or registered interior designer shall have no liability to his/her client or employer on account of such termination.

4.4. An interior designer and/or registered interior designer shall not deliberately make a materially false statement or fail deliberately to disclose a material fact requested in connection with his or her application for registration, application for renewal, application for reinstatement, or any other application or form submitted or required by the Board.

4.5. An interior designer and/or registered interior designer shall not engage in any form of false or misleading advertising or activities and shall not imply through advertising or other means that staff members or employees of their firm are qualified interior designers and/or registered interior designers unless such be the fact.

5. COMPLIANCE WITH LAWS

5.1. An interior designer and/or registered interior designer shall not, in the conduct of his or her interior design practice, knowingly violate any state or federal criminal law.

5.2. An interior designer and/or registered interior designer shall neither offer nor make any payment or gift to a government official (whether elected or appointed) with the intent of influencing the official's judgment in connection with a prospective or existing project in which the interior designer and/or registered interior designer is interested.

5.3. An interior designer and/or registered interior designer shall comply with the registration laws and regulations governing his or her professional practice in any United States jurisdiction.

5.4. An interior designer and/or registered interior designer shall not assist or abet improper or illegal conduct of anyone in connection with a project.

6. PROFESSIONAL CONDUCT

6.1. An interior designer and/or registered interior designer shall neither offer nor make any gifts, other than gifts of nominal value (including, for example, reasonable entertainment and hospitality), with the intent of influencing the judgment of an existing or prospective client in connection with a project in which the interior designer and/or registered interior designer is interested.

6.2. An interior designer and/or registered interior designer shall not, by affirmative act or failure to act, engage in any conduct involving fraud, deceit, misrepresentation or dishonesty in professional or business activity.

6.3. A registered interior designer shall not sign or seal drawings, specifications, reports or other professional work for which he or she does not have direct professional knowledge and direct supervisory control; provided, however, that in the case of the portions of such professional work prepared by the registered interior designer's consultants, registered under this or another professional registration law of this state, the registered interior designer may sign or seal that portion of the professional work if the registered interior designer has reviewed such portion, has coordinated its preparation, and intends to be responsible for its adequacy.

- 6.4. An interior designer and/or registered interior designer's contract with a client shall clearly set forth the scope and nature of the project involved, the services to be performed and the method of compensation for those services.
- 6.5. An interior designer and/or registered interior designer shall not divulge any confidential information about the client or the client's project, or utilize photographs or specifications of the project, without the express permission of the client, with an exception for those specifications or drawings over which the interior designer and/or registered interior designer retains proprietary rights.
- 6.6. An interior designer and/or registered interior designer shall not initiate, or participate in any discussion or activity, which might result in an unjust injury to another interior designer and/or registered interior designer's reputation or business relationship.
- 6.7. An interior designer and/or registered interior designer shall not interfere with the performance of another interior designer's and/or registered interior designer's contractual or professional relationship with a client.
- 6.8. An interior designer and/or registered interior designer shall not assist in the application for registration of a person known by the interior designer and/or registered interior designer to be unqualified in respect to education, training, experience, or character.
- 6.9. An interior designer and/or registered interior designer possessing knowledge of a violation of the Code of Professional Conduct by another interior designer and/or registered interior designer shall report such knowledge to the Board.
- 6.10. Each office maintained for the preparation of drawings, specifications, reports, or other professional work shall have an interior designer and/or registered interior designer resident and regularly employed in that office having direct knowledge and supervisory control of such work.